

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Jesse Evan Sylvis
Danielle Priscilla Sylvis
aka Danielle P Morrison**
Debtor(s)

Bankruptcy Case No.: 17-11324-TPA
Per July 10, 2018 Proceeding
Chapter: 13
Docket No.: 40 – 14, 28
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated January 8, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Freedom Mortgage Corporation (Claim No. 19) .
- ☒ H. Additional Terms: The secured claim(s) of the following Creditor(s) shall govern as to claim amount, to be paid at the modified Plan terms: Galaxy Federal Credit Union (Claim No. 8 and 9)

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: July 13, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Jesse Evan Sylvis
 Danielle Priscilla Sylvis
 Debtors

Case No. 17-11324-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: vson
 Form ID: 149

Page 1 of 2
 Total Noticed: 43

Date Rcvd: Jul 13, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 15, 2018.

db/jdb
 14745852 +Jesse Evan Sylvis, Danielle Priscilla Sylvis, 650 Grant Street, Franklin, PA 16323-2218
 14745855 +BYL Collection Services, 301 Lacey Street, Floor 2, West Chester, PA 19382-3727
 14745861 +Citibank North America, Centralized Bankruptcy, Po Box 790040, Saint Louis, MO 63179-0040
 +DIRECTV LLC, ATTN BANKRUPTCIES, PO BOX 6550, GREENWOOD VILLAGE CO 80155-6550
 (address filed with court: DirecTV LLC, Attn: Bankruptcies, PO Box 6550,
 Englewood, CO 80155)
 14864911 Freedom Mortgage Corporation, 10500 Kincaid Blvd., Fishers, IN 46037
 14745866 +Kay Jewelers, Po Box 4485, Beaverton, OR 97076-4485
 14745867 +Leroys Jewelers, Sterling Jewelers, Inc, Attn: Bankruptcy, PO Box 1799,
 Akron, OH 44309-1799
 14745869 +Novasom Inc., 801 Cromwell Park Drive, # 108, Glen Burnie, MD 21061-2539
 14775419 +Penelec, c/o FirstEnergy, Building #1, Suite 1-511, 101 Crawford's Corner,
 Holmdel, NJ 07733-1976
 14777060 +Pingora Loan Servicing, LLC, c/o Cenlar FSB, 425 Phillips Blvd, Ewing, NJ 08618-1430
 14771632 UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
 14772779 UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
 14778533 +Unifund CCR, 10625 Techwoods Circle, Cincinnati, OH 45242-2846
 14745877 +Wells Fargo Dealer Services, Attn: Bankruptcy, Po Box 19657, Irvine, CA 92623-9657
 14745878 +YMCA of Franklin and Grove City, 111 West Park Street, Franklin, PA 16323-1365

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. cr

+E-mail/Text: lalusher@galaxyfcu.com Jul 14 2018 01:23:33 Galaxy Federal Credit Union,
 Linda Lusher, 1313 LIBERTY AVENUE, Franklin, PA 16323-1528
 14745853 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jul 14 2018 01:26:37 Capital One,
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 14758800 +E-mail/Text: bankruptcy@cavps.com Jul 14 2018 01:23:30 Cavalry SPV I, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
 14745854 +E-mail/Text: kzoepfel@credit-control.com Jul 14 2018 01:23:18 Central Loan Admin,
 Po Box 77404, Ewing, NJ 08628-6404
 14745856 +E-mail/Text: bankruptcy@firstenergycorp.com Jul 14 2018 01:23:20 Collection Service Center,
 839 5th Avenue, New Kensington, PA 15068-6303
 14745857 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jul 14 2018 01:22:52
 Comenity Bank / Ulta Beauty, Po Box 182125, Columbus, OH 43218-2125
 14745858 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jul 14 2018 01:22:52
 Comenity Capital / Gamestop, Comenity Bank, Po Box 182125, Columbus, OH 43218-2125
 14745859 +E-mail/PDF: creditonebknofications@resurgent.com Jul 14 2018 01:26:03 Credit One Bank Na,
 Po Box 98873, Las Vegas, NV 89193-8873
 14745860 +E-mail/Text: electronicbkydocs@nelnet.net Jul 14 2018 01:23:21
 Department Of Education / 582 / Nelnet, Attn: Bankruptcy, Po Box 82505,
 Lincoln, NE 68501-2505
 14745862 +E-mail/Text: bknotice@ercbpo.com Jul 14 2018 01:23:22 ERC / Enhanced Recovery Corporation,
 Attn: Bankruptcy, 8014 Bayberry Road, Jacksonville, FL 32256-7412
 14745863 +E-mail/Text: slucas@for-cu.com Jul 14 2018 01:23:26 Franklin Oil Region Credit Union,
 101 North 13th Street, Franklin, PA 16323-2343
 14745864 +E-mail/Text: lalusher@galaxyfcu.com Jul 14 2018 01:23:33 Galaxy Federal Credit Union,
 1313 Liberty Street, Franklin, PA 16323-1528
 14745865 +E-mail/Text: lalusher@galaxyfcu.com Jul 14 2018 01:23:33 Galaxy Federal Credit Union,
 1313 Liberty Street, Franklin, PA 16323-1528
 14777997 E-mail/PDF: resurgentbknofications@resurgent.com Jul 14 2018 01:26:03
 LVNV Funding, LLC its successors and assigns as, assignee of MHC Receivables, LLC and,
 FNBM, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14753312 +E-mail/Text: bankruptcydpt@mcmcg.com Jul 14 2018 01:23:13 MIDLAND FUNDING LLC,
 PO BOX 2011, WARREN MI 48090-2011
 14745868 +E-mail/Text: mwetherbee@mmchs.org Jul 14 2018 01:23:32 Meadville Medical Center,
 1034 Grove Street, Meadville, PA 16335-2945
 14749489 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 14 2018 01:25:59
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 14746175 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 14 2018 01:37:44
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14775234 E-mail/Text: bnc-quantum@quantum3group.com Jul 14 2018 01:22:57
 Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788,
 Kirkland, WA 98083-0788
 14745870 +E-mail/PDF: gecsed@recoverycorp.com Jul 14 2018 01:26:36 Synch / Car Care Summit,
 Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
 14776394 +E-mail/PDF: gecsed@recoverycorp.com Jul 14 2018 01:26:36 Synchro Bank,
 c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
 14745871 +E-mail/PDF: gecsed@recoverycorp.com Jul 14 2018 01:26:17 Synchro Bank / Amazon,
 Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
 14745872 +E-mail/PDF: gecsed@recoverycorp.com Jul 14 2018 01:26:36 Synchro Bank / Care Credit,
 Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
 14745873 +E-mail/PDF: gecsed@recoverycorp.com Jul 14 2018 01:25:57 Synchro Bank / PayPal Credit,
 Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060

District/off: 0315-1

User: vson
Form ID: 149

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Total Noticed: 43

Date Rcvd: Jul 13, 2018

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14745874 +E-mail/PDF: gecsed@recoverycorp.com Jul 14 2018 01:26:36 Synchrony Bank / Walmart,
Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
14745875 +E-mail/Text: chopkins@titusvillehospital.org Jul 14 2018 01:22:48 Titusville Area Hospital,
406 West Oak Street, Titusville, PA 16354-1499
14745876 +E-mail/Text: bankruptcydepartment@tsico.com Jul 14 2018 01:23:43
Transworld Systems Inc / 51, Po Box 15618, Wilmington, DE 19850-5618
14758758 +E-mail/Text: electronicbkydocs@nelnet.net Jul 14 2018 01:23:21 U.S. Department of Education,
C/O Nelnet, 121 South 13th Street, Suite 201, Lincoln, NE 68508-1911
TOTAL: 28

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Freedom Mortgage Corporation
cr Pingora Loan Servicing, LLC
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTALS: 2, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 15, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 13, 2018 at the address(es) listed below:

Daniel P. Foster on behalf of Joint Debtor Danielle Priscilla Sylvie dan@mrdebtbuster.com,
clarissa@mrdebtbuster.com; fosterlaw@ecf.inforuptcy.com; anne@ecf.inforuptcy.com
Daniel P. Foster on behalf of Debtor Jesse Evan Sylvie dan@mrdebtbuster.com,
clarissa@mrdebtbuster.com; fosterlaw@ecf.inforuptcy.com; anne@ecf.inforuptcy.com
James Warmbrodt on behalf of Creditor Freedom Mortgage Corporation bkgroup@kmlawgroup.com
James Warmbrodt on behalf of Creditor Pingora Loan Servicing, LLC bkgroup@kmlawgroup.com
James M. Greenfield on behalf of Creditor Galaxy Federal Credit Union
greenfieldlaw@dalewoodardgent.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 7